

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

The Annuity, Welfare and Apprenticeship Skill  
Improvement & Safety Funds of the International  
Union of Operating Engineers Local 15, 15A, 15C  
& 15D, AFL-CIO et al.

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

Modern Continental Construction Co., Inc.

**07 CIV. 9906**

TO: (Name and address of defendant)

Modern Continental Construction Co., Inc.  
950 Fountain Avenue  
Brooklyn, New York 11208

**JUDGE GRIESA**

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

BRADY McGUIRE & STEINBERG, P.C.  
603 WARBURTON AVENUE  
HASTINGS-ON-HUDSON, NEW YORK 10706

an answer to the complaint which is herewith served upon you, within Twenty (20) days after service of this  
summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for  
the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period  
of time after service.

CLERK

CLERK

DATE

**NOV - 9 2007**

(BY) DEPUTY CLERK

STATE OF NEW YORK

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT

DOCUMENTS SERVED WITH INDEX#: 07CIV.9906

AND FILED ON

11/9/2007

THE ANNUITY, WELFARE AND APPRENTICESHIP SKILL IMPROVEMENT & SAFETY FUNDS  
OF THE INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 15, 15A, 15C & 15D,  
Vs.  
MODERN CONTINENTAL CONSTRUCTION CO., INC.

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF: NEW YORK

COUNTY OF WESTCHESTER

)  
SS  
)

The undersigned deponent, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in the State of New York. On 12/4/2007 at 4:39PM, deponent did serve the within process as follows:  
Process Served:

Party Served:

SUMMONS AND COMPLAINT

MODERN CONTINENTAL CONSTRUCTION CO., INC.

(herein called recipient)  
therein named.

At Location:

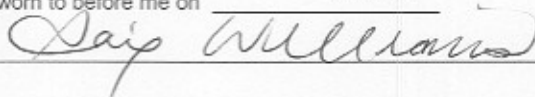
950 FOUNTAIN AVENUE

BROOKLYN NY 11208

By delivering to and leaving with BRIAN CONLAN and that deponent knew the person  
so served to be the MANAGING AGENT  
of the corporation and authorized to accept service..

A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Sex: M Color of Skin: WH Color of Hair: BLACK  
Age: 41 Height: 6'1"  
Weight: 195 Other Features:

Sworn to before me on 12/7/2007


Eric Averbach

Server's License#: 918927

GAIL WILLIAMS  
Notary Public, State of New York  
No. 4665052  
Qualified in Westchester County  
Commission Expires September 30, 2010